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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,776	09/15/2003	Djamel Merabet	MERABET1A	7248

7590 05/17/2005

BROWDY AND NEIMARK, P.L.L.C.  
624 Ninth Street, N.W.  
Washington, DC 20001

EXAMINER
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TADESSE, YEWEBDAR T

ART UNIT	PAPER NUMBER
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1734

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/661,776

Applicant(s)

MERABET, DJAMEL

Examiner

Yewebdar T. Tadesse

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 8, 9 and 18-22 is/are rejected.
- 7) ☒ Claim(s) 2-7 and 10-17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 8, 9 and 18-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Prus (US2001/0015386). As to claim 1, Prus discloses (see Figs 1-3; paragraphs 10-12, and claims 1-4, 10 and 21) spraying bowl for a rotary sprayer projecting coating product, the bowl (rotating element 3, 103) being equipped with means for magnetic coupling (2, 4; 102, 104) with a member (rotor 1, 101) for driving in rotation or with a casing surrounding the member (rotor 1), wherein the magnetic coupling means (4, 102) are adapted to cooperate with complementary means (2, 104) borne by the member or the casing, in such a manner that the magnetic coupling effort obtained capable of having a radial component with respect to the axis (X-X') of rotation of the bowl.

Regarding claim 8, Prus discloses (see Figs 2-3) means for fitting on the member (surfaces 12, 112; 35, 135), the magnetic coupling means (4, 102) disposed around the fitting means and adapted to cooperate with complementary means (2, 104) not driven (being immobilized) in rotation by the member (rotor 1, 101), in order to fit the bowl (3) on the member (1).

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As to claim 9, Prus discloses (see Figs 1-3; paragraphs 10-12, and claims 1-4, 10 and 21) a device for spraying coating product comprising a bowl (rotating element 3, 103) and a member (rotor 1, 101) adapted to drive the bowl in rotation, means for magnetic coupling (magnetic coupling means 2, 4; 102, 104) between the bowl and the member (1, 101) or between the bowl and a casing surrounding the member being provided and including at least one permanent magnet (4, 102), wherein the coupling means are disposed so that the effort of magnetic coupling capable of having a radial component with respect to the axis (X-X') of rotation of the bowl.

As to claims 18-19, Prus discloses a bowl provided with a male part adapted to be inserted in a housing defined by a casing (13) surrounding the drive member, the male part itself being equipped with means for fitting on the member (see Fig 2, for the bearing of the surfaces 35 and 37 on the surfaces 11 and 12).

With respect to claim 20, Prus discloses (see Figs 1-3) the drive member (rotor 1, 101) provided with a central channel (pipe 5) for supplying coating product, while the bowl (rotating element 3, 103) is provided with a central channel (opening 51) for supplying coating product for a discharge surface, the channels being connected to each other when the bowl is magnetically coupled to the member (rotor 1, 101) or to the casing, the magnetic coupling capable of occurring around one of the channels.

As to claim 21, Prus discloses (see Fig 3) relief elements for gearing are provided on the bowl and on the member (shapes of surfaces 12 and 35).

Regarding claim 22, Prus discloses a device for spraying coating product comprising a rotating spray element (see claim 1).

***Allowable Subject Matter***

3. Claims 2-7 and 10-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter: as to claims 2-7, Prus discloses (see paragraphs 12, 34 and Fig 1) a magnet 4 or a plurality of magnets disposed about the axis of rotation of the bowl and the outside surfaces (11, 12, 35 and 36) of the bowl and the rotor engage to form air-gap e. In Prus (see Fig 1) the structure of the bowl (3) can be considered as a male part (part of the bowl 3 inserted into the rotor 1) or a female part (the channel 34 part of the bowl connected to the tube 5), however the male part is not engaged to the central housing of the rotor or magnetic elements are not disposed inside the female part. Prior art of record does not disclose or suggest spraying bowl comprising, among others, a magnetic element disposed around a male part of the bowl adapted to be *engaged in a central housing* of the rotor or *magnetic element disposed inside* a female part of the bowl receiving a central shaft fast with the rotor. As to claims 10-17, Prus does not disclose or teach magnetic coupling means comprising an element having at least one rib formed of a magnetic material. Prior art of record does not disclose or suggest spraying bowl comprising, among others, magnetic coupling means comprising an element having at least one rib formed of a magnetic material.

***Response to Arguments***

5. Applicant's arguments filed 02/25/2005 have been fully considered but they are not persuasive. Applicant basically argues that the elements disclosed in reference of Prus (US 6,592,054) are incapable of producing a magnetic coupling effort having a radial component. The examiner still thinks that Prus's spraying bowl magnets (4, 102, see Figs 1-3) are capable of producing a magnetic coupling effort having a radial component. Magnetic coupling efforts or fields or energies can be created in different directions by arranging a plurality of magnets or a single magnet (with south and north poles). For instance, Smith is cited of interest (see Figure 11.13, Smith, Principles of Materials Science and Engineering, 1931, page 611) showing the magnetic fields generated by one domain having radial component (see the curved component). As such, Prus's magnet (4, 102) is capable of forming a radial component.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure – William F. Smith, principles of Materials Science and Engineering, 1931, page 611 – magnets and their magnetic efforts or fields or energies.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yewebdar T. Tadesse whose telephone number is (571) 272-1238. The examiner can normally be reached on Monday-Friday 8:00 AM-4: 30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Fiorilla can be reached on (571) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Yewebdar T. Tadesse*

*CA Fiorilla*  
**CHRIS FIORILLA**  
**SUPERVISORY PATENT EXAMINER**  
*AU 1734*